

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES EDWARD BATES, JR.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 2:23-cv-01209-AC

ORDER GRANTING IFP AND  
DIRECTING E-SERVICE

Pending before the court is plaintiff's motion for leave to proceed in forma pauperis. See 28 U.S.C. § 1915 (authorizing the commencement of an action "without prepayment of fees or security" by a person that is unable to pay such fees).<sup>1</sup> ECF No. 2. Plaintiff submitted the required affidavit, which demonstrates an inability to prepay fees and costs or give security for them. Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is GRANTED;
2. The Clerk of Court is directed to issue a summons for this case;
3. In keeping with the court's e-service procedure for Social Security cases,<sup>2</sup> service

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<sup>1</sup> Actions involving review of Social Security decisions are referred to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1) and E.D. Cal. L.R. 302(c)(15).

<sup>2</sup> <http://www.caed.uscourts.gov/caednew/index.cfm/news/new-social-security-case-procedures-effective-after-june-15-2021/>

1           on the defendant Commissioner of Social Security Administration shall proceed  
2           under the court's E-Service program as follows. Once a summons is issued, the  
3           Clerk of Court shall deliver to the Commissioner of Social Security  
4           Administration and the United States Attorney's Office at their designated email  
5           addresses a notice of electronic filing of the action along with the summons and  
6           complaint. The Commissioner has agreed not to raise a defense of insufficient  
7           service of process if provided with notice of a complaint as detailed in this order.  
8           This order is not intended to prevent parties from making any other motions that  
9           are appropriate under the Federal Rules of Civil Procedure; and

10          4. The Clerk of Court is DIRECTED to issue a scheduling order in this case.

11          IT IS SO ORDERED.

12          DATED: June 26, 2023

  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE

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